IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 92 of 2006 (S/S)

Sher Singh and 18 others

…… Petitioners

Versus

1. State of Uttaranchal.
   through Secretary,
   Civil Supply Dept.
   Uttaranchal, Dehradun.
2. The Regional Food controcter
   Kumoun Mandal Haldwani,
   District Nainital.
3. The District Magistrate
   Pithoragarh (U.A.).
4. The District Supply Officer
   Pithoragarh (U.A.).

…… Respondents

None for the petitioners.
Mr. N.P. Sah, Standing Counsel for the respondent State.

Hon'ble Prafulla C. Pant, J.

None present for the petitioner.

Learned Standing Counsel is present for the State.

2) By means of this writ petition, the petitioners, who is engaged on daily wages with the Civil Supplies Department of the State, have sought their regularization in service.

3) In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in 2006 A.I.R.S.C.W. Page 1991,*** that daily wage workers and the persons employed without undergoing regular selection

process under the rules, should not be permitted to be absorbed or regularized in the service, against the Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularise services of the petitioners.

4) The writ petition is dismissed. Interim order dated 13.02.2006, regarding minimum pay, stands vacated.

(Prafulla C. Pant, J.)

Dt.: November 29, 2006
H.Negi